



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#14

In re Patent Application of

Axel R. ZANDER

Atty.Ref.: 35-204

Serial No. 09/836,602

Group: 1636

Filed: 18 April 2001

Examiner: Leffers

For: USE OF CD34 OR A POLYPEPTIDE DERIVED THEREFROM AS CELL-SURFACE OR GENE-TRANSFER MARKER

\* \* \* \* \*

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

#### DECLARATION OF DEPOSITED MATERIALS

As an authorized representative and on the instructions of Vision 7 GmbH, Flughafenstr. 52B, 22335 Hamburg, GERMANY, the assignee of the U.S. Patent application identified above, I hereby declare that:

- Vision 7 GmbH is the co-depositor and owner of the following deposits of biological materials identified and referred to in the specification of this application and on the attached deposit receipts, international form, under the terms of the Budapest Treaty.

Accession No. DSM-

Depositor's Reference

Date Deposited

13396

pSFalpha1ItCD34

March 27, 2000

- The deposits of biological material identified above were made at the Deutsche Sammlung von Mikroorganismen und Zellkulturen [German Collection of Microorganisms and Cell Cultures], Mascheroder Weg 1b, 38124 Braunschweig,

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and have been deposited and accepted under the terms of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure and therefore the filing of a viability statement is unnecessary [37 C.F.R. 1.807(b)]

- The deposits will be maintained for a period of 30 years from the date of deposit or for the enforceable life of any patent issuing from this application or for a period of 5 years after the date of the most recent request for the furnishing of a sample of the deposited material, whichever is longest.
- The deposits will be replaced should they become contaminated or no longer viable.
- Subject to 37 C.F.R. § 1.808(b), all restrictions imposed by the depositor on the availability to the public of the deposited material will be irrevocably removed upon the granting of the patent.
- Access to the deposited material is permitted during the pendency of the above-identified patent application to one determined by the Commissioner of Patents and Trademarks to be so entitled under 37 C.F.R. § 1.14 and 35 U.S.C. § 122.

I further declare that all statements made herein of my own knowledge are true and that all statement made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 101 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Axel R. ZANDER

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By:

  
Signature

Dr. Jörn Möller  
Print Name

Geschäftsführer  
Print Title

Date: 28/3/03